Land Use Study of the 4300 to 7300 Blocks of

DEWDNEY AVENUE

City of Regina Planning Department February 1987

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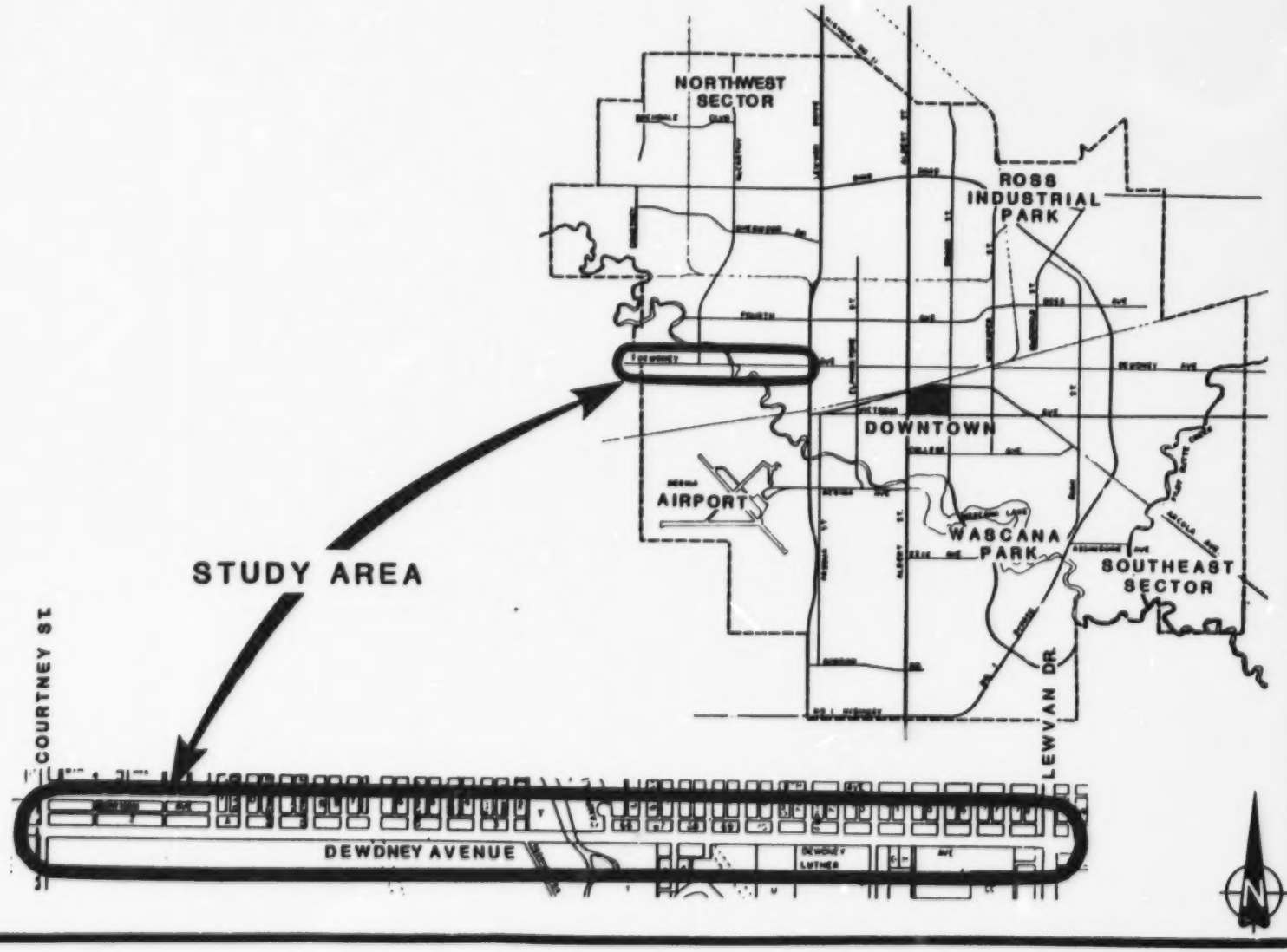
MAP 1 LOCATION OF THE STUDY AREA



1.0 INTRODUCTION

The 4300 to 7300 Blocks of Dewdney Avenue form the boundary between the predominantly low density older suburban residential precinct in the northwest portion of Regina, and the large institutional and public service holdings in the southwest sector (See Map 1). Dewdney Avenue is an arterial thoroughfare which carries traffic from the nearby neighbourhoods to the downtown, industrial areas and other destinations in the city.

A recent commercial development and a request for additional commercial rezoning on the north side of Dewdney Avenue has led to a questioning of the current policies and protective land use regulations as they pertain to this residential edge.

1.1 Purpose

The overall purpose of this study is to identify development policies and zoning standards which will facilitate an appropriate range and distribution of land uses along Dewdney Avenue in the study area, taking into account current development and the future role of Dewdney Avenue in the city.

The specific purposes of this study are to:

a) review the existing development characteristics of the area - land use, traffic and zoning;

b) identify and discuss the issues relating to the range and distribution of land uses and traffic characteristics of the street;

c) develop a recommended strategy to guide the future development of this area including land use policies and zoning regulations; and,

d) ensure that the interests of the affected property owners and residents are reflected in the recommendations to Council.

1.2 Background

The study area has been the scene of limited development activity over the past nine years since the current zoning system was introduced. Between 1978 when Zoning Bylaw 6170 was adopted and July 1986, two zoning amendments were made which recognized existing commercial uses in order to make them legally conforming to the zoning bylaw. These rezonings were fundamentally 'housekeeping' tasks and did not accommodate new commercial development.

On July 7, 1986 Council approved a rezoning of the properties on the north side of Dewdney Avenue covering the 6300 block immediately east of McCarthy Boulevard, to accommodate the development of a new shopping centre. This approval was given by Council following considerable discussion and debate, and was based on the merits of the proposed development. However, the approval raised the concern of a number of area residents who feared that a precedent may have been set for further commercialization of Dewdney Avenue which would be detrimental to livability of the neighbourhood. Adding to this concern was the fact that a second rezoning application was immediately made to permit commercial development on the 6200 block. This request was denied by Council on October 27, 1986 based on the merits of that proposal, and direction was given to the Administration to meet with the affected Community Associations to discuss a broader strategy to the questions of zoning on Dewdney Avenue.

Following Council's direction, a meeting was held on November 25, 1986 at the Jack Hamilton Arena. In attendance were representatives of the Planning Department and approximately 35 residents from the affected community associations. The meeting was chaired by Councillor Archer. It brought to light a number of issues of concern to the residents which would be the subject of this study. These issues relate to:

1. maintaining the residential stability of Dewdney Avenue and curtailing commercialization which could threaten that stability.

2. establishing an appropriate zoning designation on the existing residentially zoned commercial properties which recognize their current form of development but do not permit potentially disruptive uses.

3. a range of traffic concerns including overall traffic volumes, pedestrian crossings and turning movements onto Dewdney Avenue.

These issues will be discussed following a description of the general development characteristics of the area.

MAP2

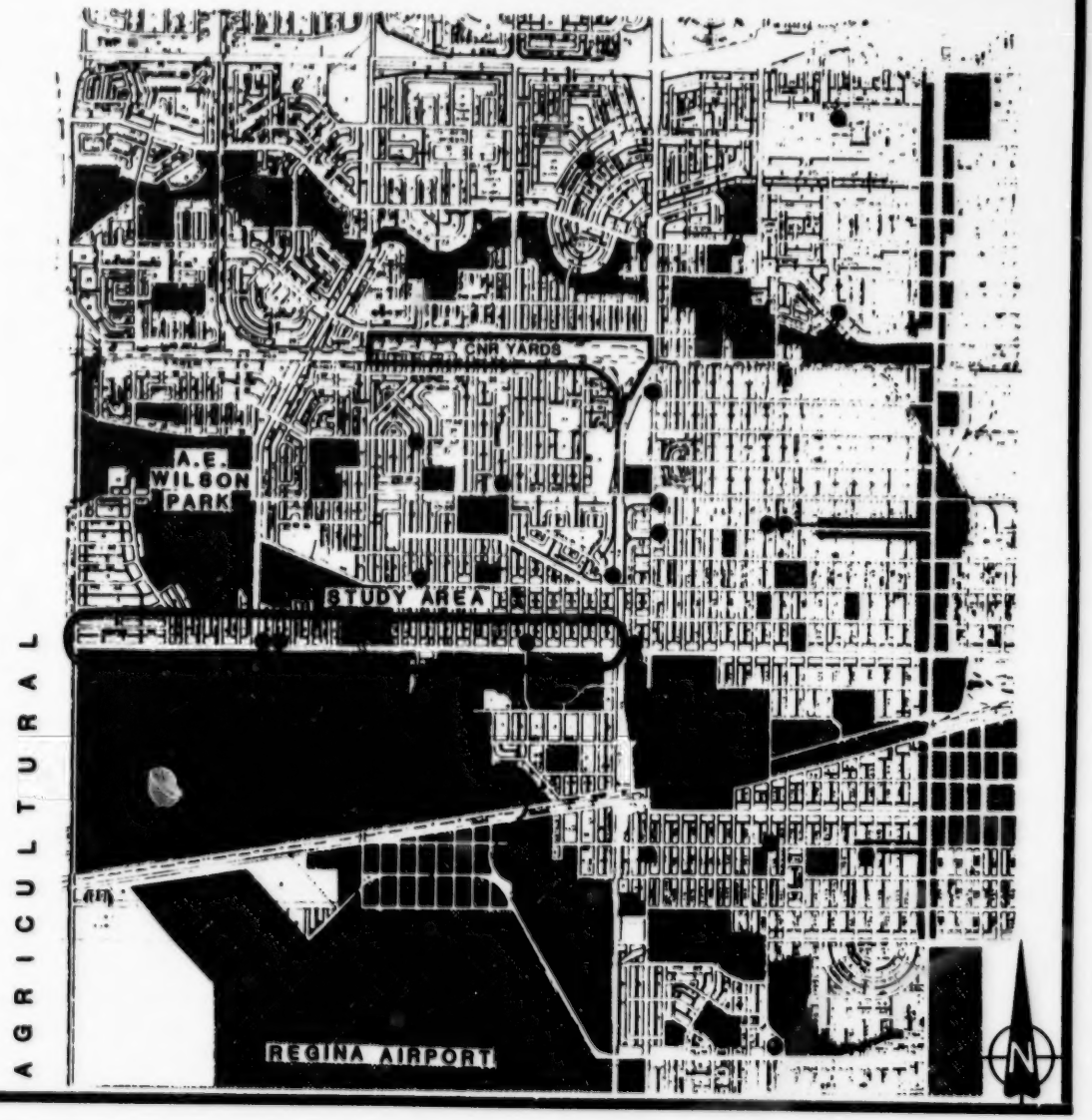
GENERAL LAND USE
STUDY AREA VICINITY

LEGEND

RESIDENTIAL

INSTITUTIONAL
PUBLIC SERVICE

COMMERCIAL



2.0 DEVELOPMENT CHARACTERISTICS

2.1 Land Use

Context

The study area includes the properties immediately abutting Dewdney Avenue between Lewvan Drive and Courtney Street. In this location, Dewdney Avenue forms the boundary between two distinct districts of the city (see Map 2).

To the north of Dewdney Avenue is the primarily residential northwest quadrant of the City. Low density housing comprised of detached and semi-detached dwellings predominate, and the area is dotted with schools, parks and local shopping facilities to serve the residents. Most of the development occurred since 1945, although some older development remains in the blocks near Dewdney Avenue and Lewvan Drive and near the CNR rail yards. The CNR yards are one of the two major non-residential land uses in this area, the other one being A.E. Wilson Park which has been developed along Wascana Creek.

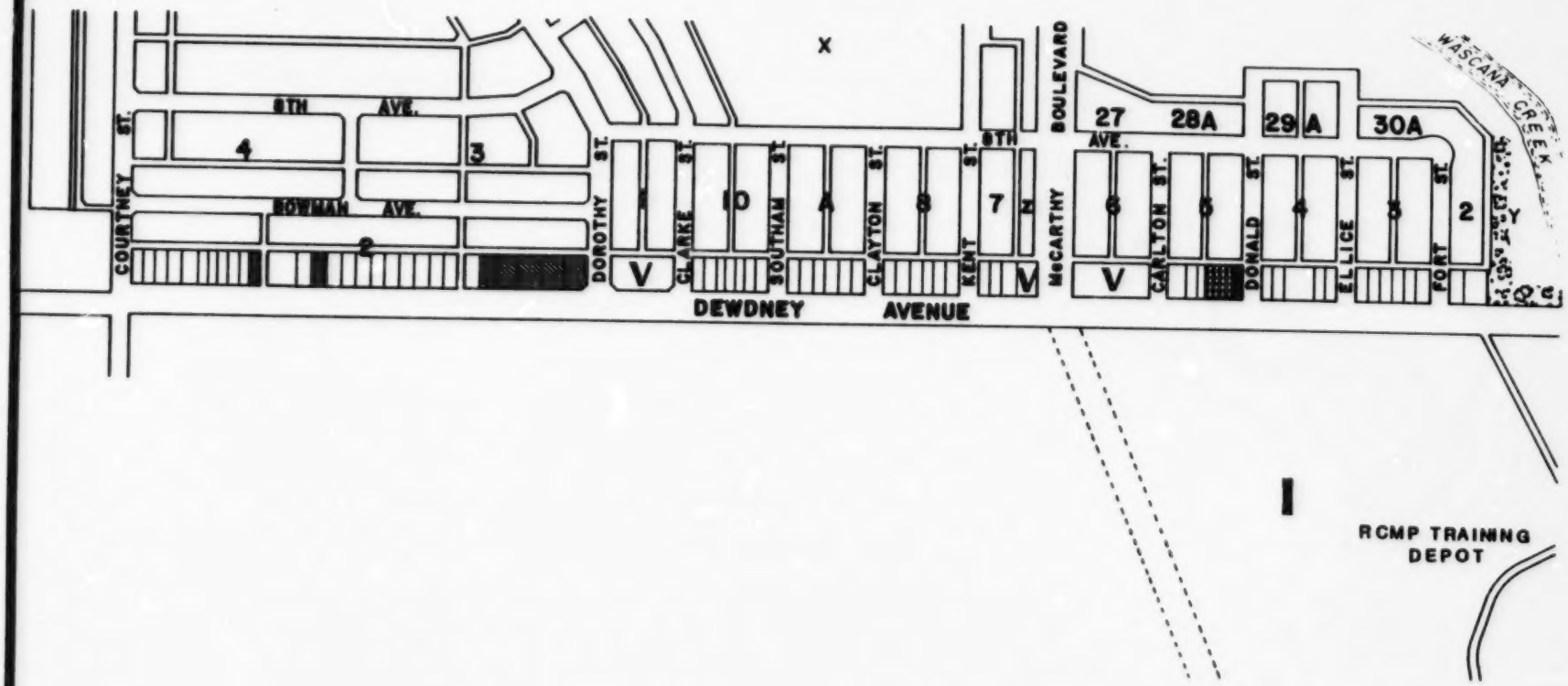
To the south of Dewdney Avenue is a predominatly non-residential sector which contains a mix of institutional and public service uses including the RCMP lands, the airport and major recreational facilities along Wascana Creek.

Specific Uses in the Study Area

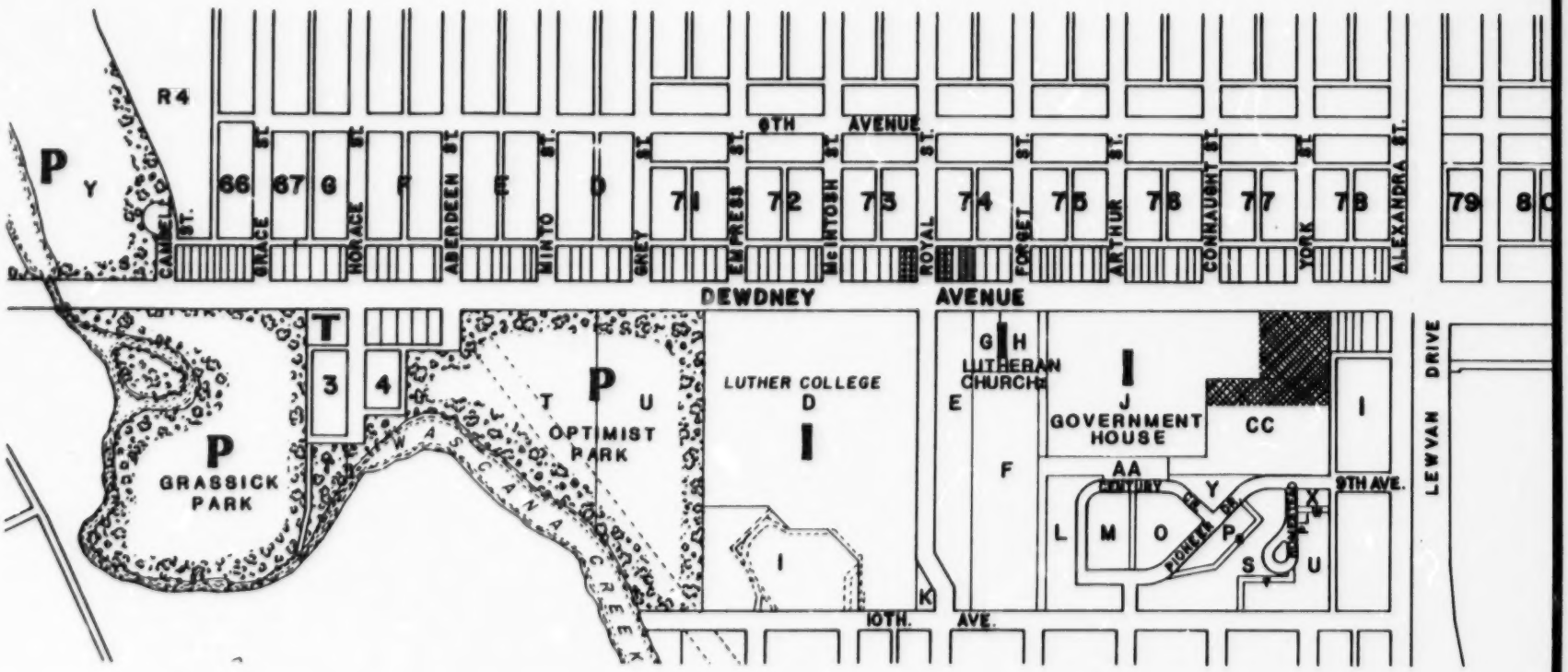
The study area itself has been developed primarily with detached dwellings on the north side of Dewdney Avenue, and a range of institutional and public service uses on the south side. Detailed land uses are shown on Map 3.

North Side of Dewdney Avenue

Other than detached dwellings, residential uses on the north side include semi-detached dwellings (generally west of Dorothy Street), an apartment above a confectionary store near Donald Street and a vacant City owned parcel of land between Dorothy Street and Clarke Street. There are two commercial nodes on the north side, providing a range of local commercial services. At Royal Street (on the 4800 and 4900 blocks) there is a confectionary store, a day care centre, a hairdresser and a health food store. The node at Donald Street contains a restaurant and a confectionary store. In addition, a strip mall is under construction at McCarthy Street which will provide an opportunity for stores and services of a similar local commercial nature. These developments are the sole commercial outlets for the Dieppe neighbourhood and are among the several serving the Rosemont neighbourhood.

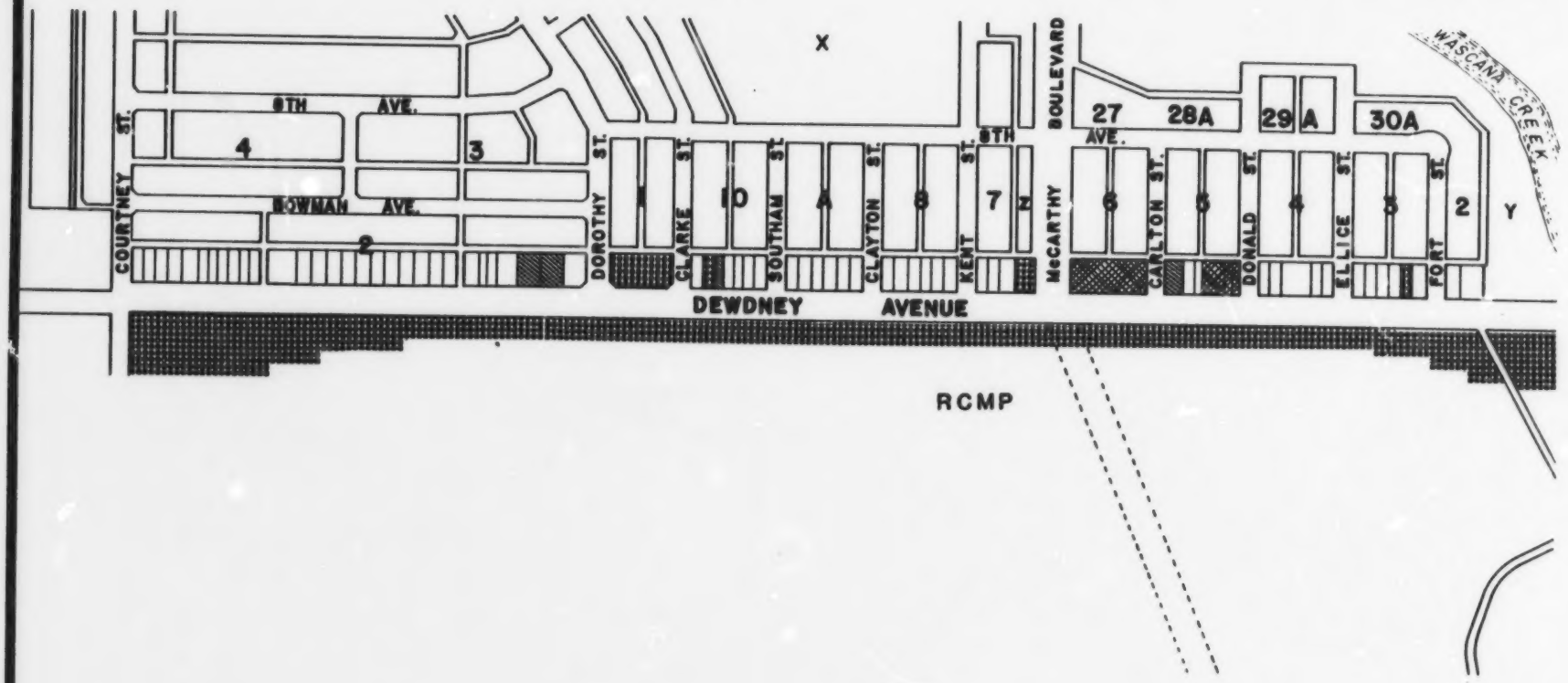

8TH AVE.
BOWMAN AVE.
COURTNEY ST.
DOROTHY ST.
CLARKE ST.
SOUTHAM ST.
CLAYTON ST.
KENT ST.
8TH ST.
McCARTHY BOULEVARD
27 AVE.
CARLTON ST.
DONALD ST.
ELLICE ST.
FORT ST.
WASCANA CREEK
DEWDNEY AVENUE
RCMP TRAINNG DEPOT
4
3
2
1
10
9
8
7
6
5
4
3
2
27
28A
29A
30A
V
X
Y

MAP 3 LAND USE



- DETACHED DWELLING
- SEMI-DETACHED DWELLING
- RETAIL/SERVICE COMMERCIAL
- SENIOR CITIZEN'S APT.
- V VACANT
- P PARK
- I INSTITUTIONAL
- T TRANSIT STOP

N


X
8TH AVE.
BOWMAN AVE.
COURTNEY ST.
DOROTHY ST.
CLARKE ST.
SOUTHAM ST.
CLAYTON ST.
KENT ST.
8TH ST.
McCARTHY BOULEVARD
27 AVE.
28A
29 A
30A
CARLTON ST.
DONALD ST.
ELLICE ST.
FORT ST.
WASCANA CREEK
4
3
2
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10
9
8
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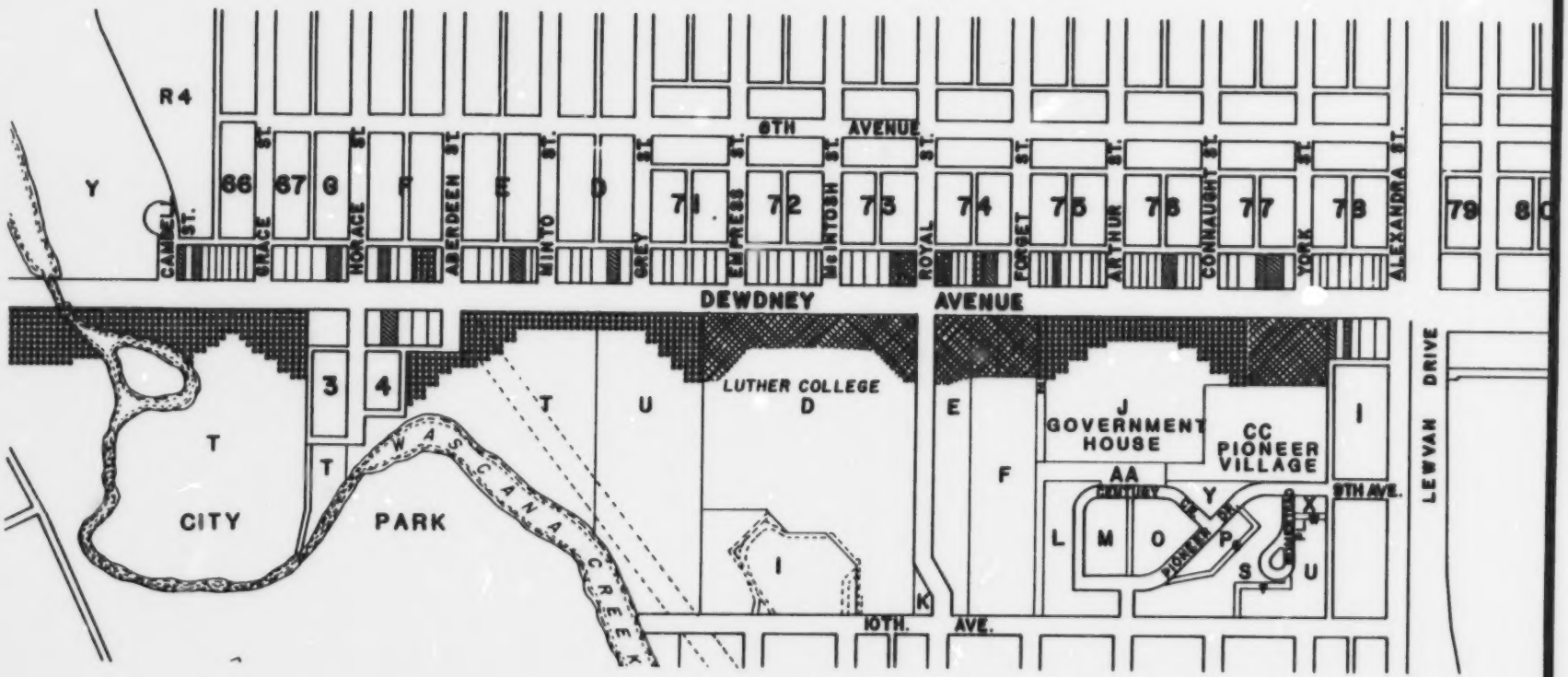
6
5
4
3
2
Y
DEWDNEY AVENUE
RCMP

MAP 4 OWNERSHIP



OWNER OCCUPIED HOUSE

TENANT OCCUPIED HOUSE

COMMERCIAL OWNER/INSTITUTIONAL OWNER

PUBLIC OWNER (INCL. GABRIEL HOUSING, SHSC, CITY & CROWN)

N

South Side of Dewdney Avenue

Specific uses on the south side of Dewdney Avenue include the RCMP training centre, Luther College, Government House, Pioneer Village nursing home, and the Grassic and Optimist Parks which abut Wascana Creek. All of these uses are situated on large parcels of land and serve a city wide or even (as in the case of Government House and the RCMP centre) a provincial or national role. This is at least partially a reflection of the early attempt of George Dewdney, the first Lt. Governor of what was then the Northwest Territories, to make this the centre of the city when Regina was first being established in 1882. However, the town site ultimately was centred on the CP train station located several miles to the east, and housing of a type similar to that found on the north side of Dewdney Avenue was subsequently developed to infill the remaining vacant land, creating small enclaves at Horace Street and at Lewvan Drive.

Residential Lot Size

The houses have been developed on lots generally ranging from 7.62m (25 feet) to 15.24m (50 feet) in width, although there are a few larger lots. The depth of all residential lots in the study area is the standard 38.1m (125 feet) used in the original gridiron plan for the city. Most of the houses are of standard size and, with very few exceptions, appear to be in good or fair condition.

Ownership

Approximately 88% of the housing in the study area is owner occupied while the remaining 12% is tenant occupied (see Map 4). This can be compared to a city wide average of approximately 36% tenant occupied housing. The rental housing is evenly distributed within the study area, and is owned by a variety of individuals and organizations. There does not appear to be any significant assembly of properties for redevelopment, for either residential or commercial use.

2.2 Current Zoning and Land Use Policies

Zoning

The zoning controls which have been established to regulate land use in the study area reflect the predominant existing development forms (see Map 5).

R1, R2 Zones on North Side

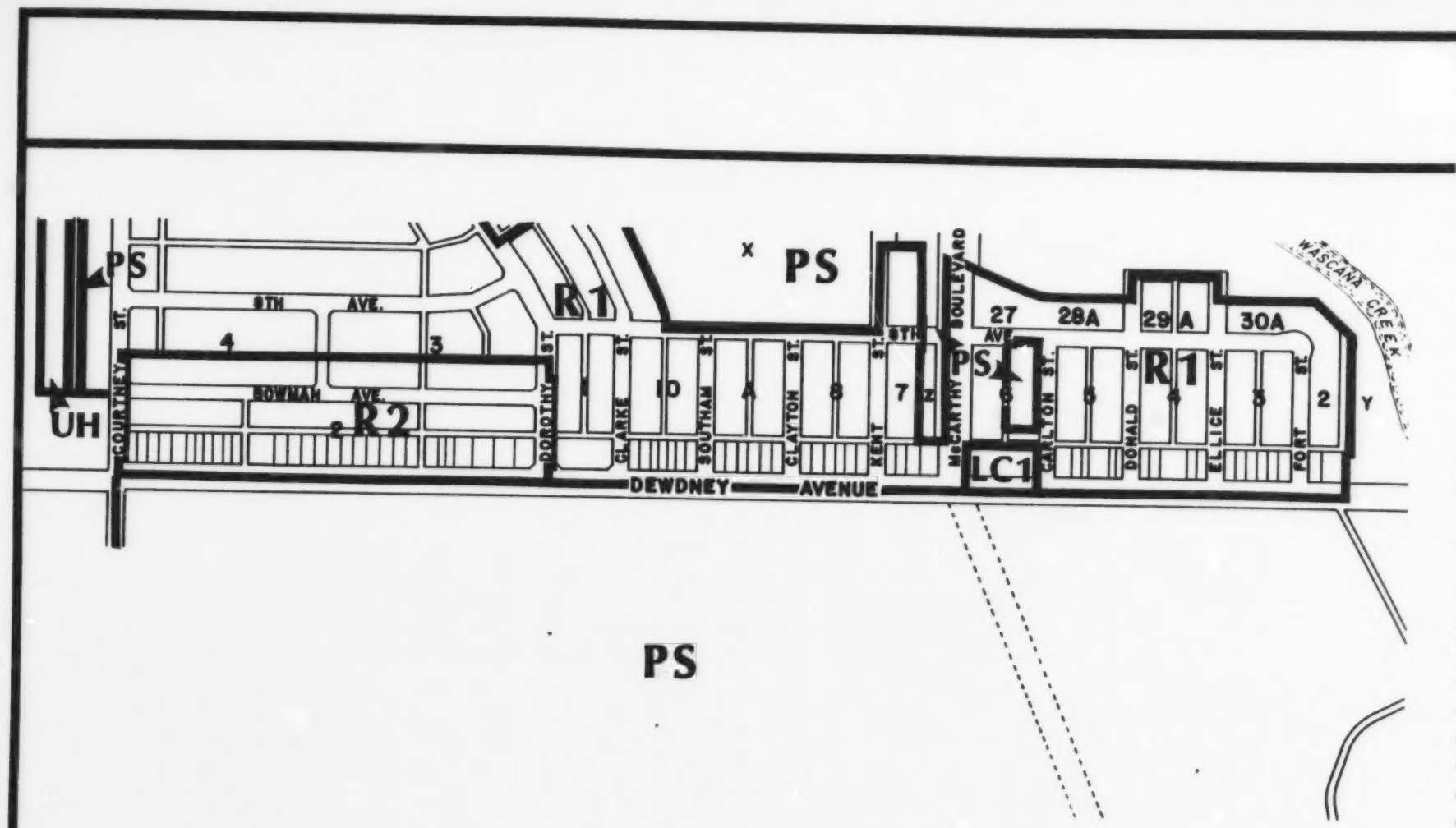
On the north side of Dewdney Avenue where low density housing predominates, the areas east of Wascana Creek and West of Dorothy Street are zoned R2 - Residential Suburban Semi-Detached, while the remainder of the residential properties are zoned R1 - Residential Suburban Detached. Both the R1 and R2 zones restrict the range of permissible uses to detached dwellings plus a short list of related or compatible uses such as group homes, home occupations, day cares, churches and playgrounds. In the R2 zone, two family dwellings (duplex and semi-detached houses) are also permitted. A full list of the uses in these zones which are permitted and discretionary (subject to Council's approval on a case by case basis) together with relevant site development regulations are shown in Appendix 1.

I, PS Zones on South Side

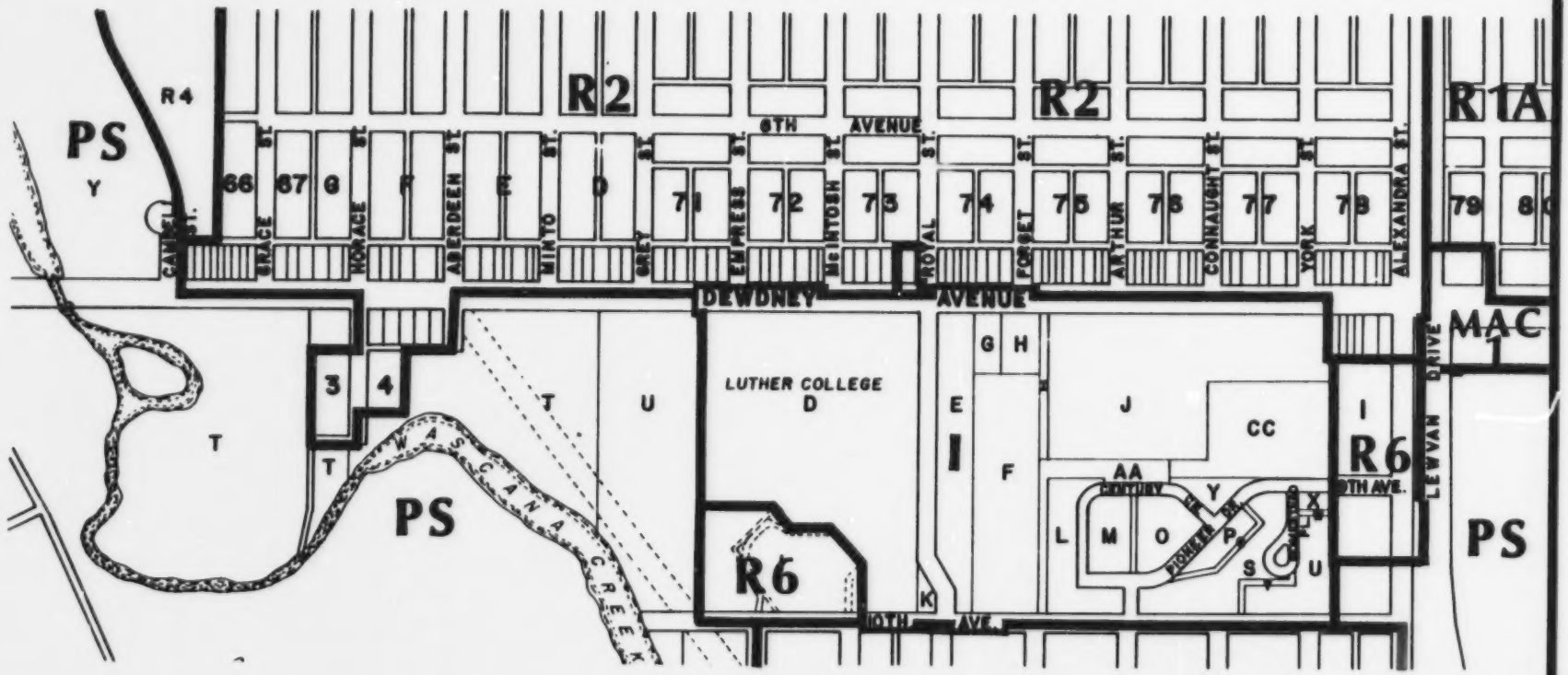
On the south side of Dewdney Avenue where institutional and public service uses predominate, the properties including Luther College, Lutheran Church, Government House and Pioneer Village are zoned I - Institutional, while Grassick and Optimist Parks and the RCMP lands are zoned PS - Public Service. The list of uses which are permitted and discretionary in these zones is shown in Appendix 1.

Commercial Zones

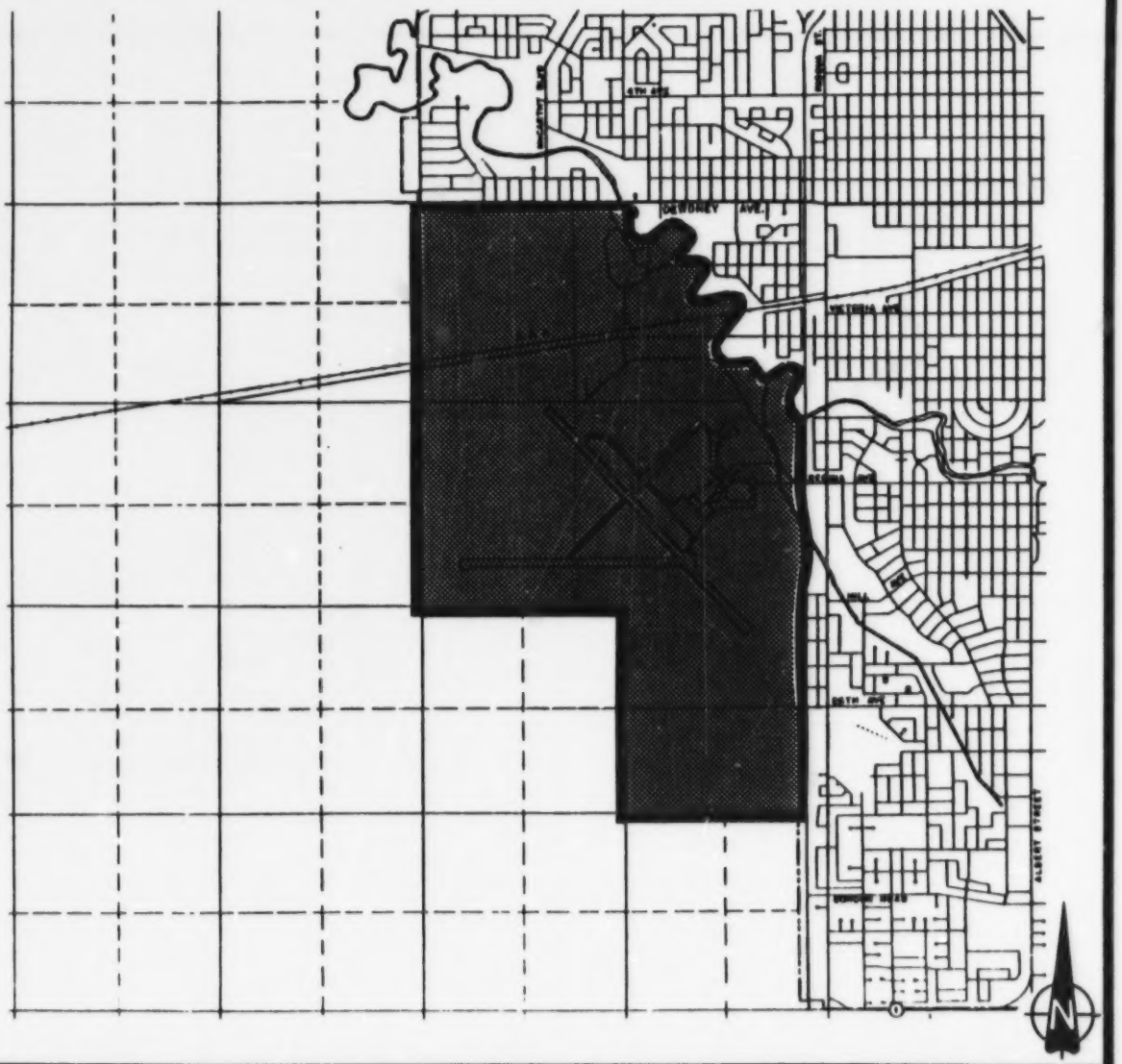
There are two commercially zoned sites on the north side of Dewdney Avenue. The block face between McCarthy Avenue and Carlton Street was recently rezoned to LC1 - Local Commercial in order to permit the development of a small shopping centre to serve the neighbourhood. This development is now under construction. Permitted in the LC1 zone is a range of uses which includes small stores, banks, offices and service uses. The further approval of City Council is required for such uses as fast food outlets, convenience stores, gas bars, licensed restaurants and larger offices. The shopping centre development was approved by Council on the basis that it would provide additional commercial space to an area which did not appear to be fully served by existing commercial uses, and would be located in a manner which would provide a reasonable interface with the surrounding neighbourhood. This development can be expected to satisfy the need for commercial facilities in the area.


PS
8TH AVE.
R1
PS
WASCANA CREEK
27 AVE
28A
29A
30A
4
3
8TH
ST.
COURTNEY
BOWMAN AVE.
R2
UH
DOROTHY ST.
CLARKE ST.
SOUTHAM ST.
CLAYTON ST.
KENT ST.
McCARTHY BOULEVARD
PS
R1
CARLTON ST.
DONALD ST.
ELLICE ST.
FORT ST.
LC1
DEWDNEY AVENUE
PS

MAP5 ZONING


R4
R2
R2
R1A
PS
Y
66
67
G
F
E
D
71
72
73
74
75
76
77
78
79
8
GRACE ST.
HORACE ST.
ABERDEEN ST.
WINTO ST.
GREY ST.
EMPRESS ST.
McINTOSH ST.
ROYAL ST.
FORSET ST.
ARTHUR ST.
CONNAUGHT ST.
YORK ST.
ALEXANDRA ST.
8TH AVENUE
DEWDNEY AVENUE
MAC
3
4
T
U
LUTHER COLLEGE
D
G
H
E
F
J
CC
I
R6
AA
Y
L
M
O
P
S
U
X
W
PS
R6
K
10TH AVE.
LEWAN DRIVE
PS
WASCANA CREEK
N

MAP 6 LAND IN THE SOUTH-WEST



The property on the northwest corner of Dewdney Avenue and Royal Street is zoned RM - Residential Mixed Use. This is primarily a residential zone which permits detached, semi-detached and townhouse dwellings and related uses, but also enables Council to permit confectionary stores and mixed use buildings (containing both residential and commercial uses) at their discretion on a specific site.

Legally Non-Conforming Uses

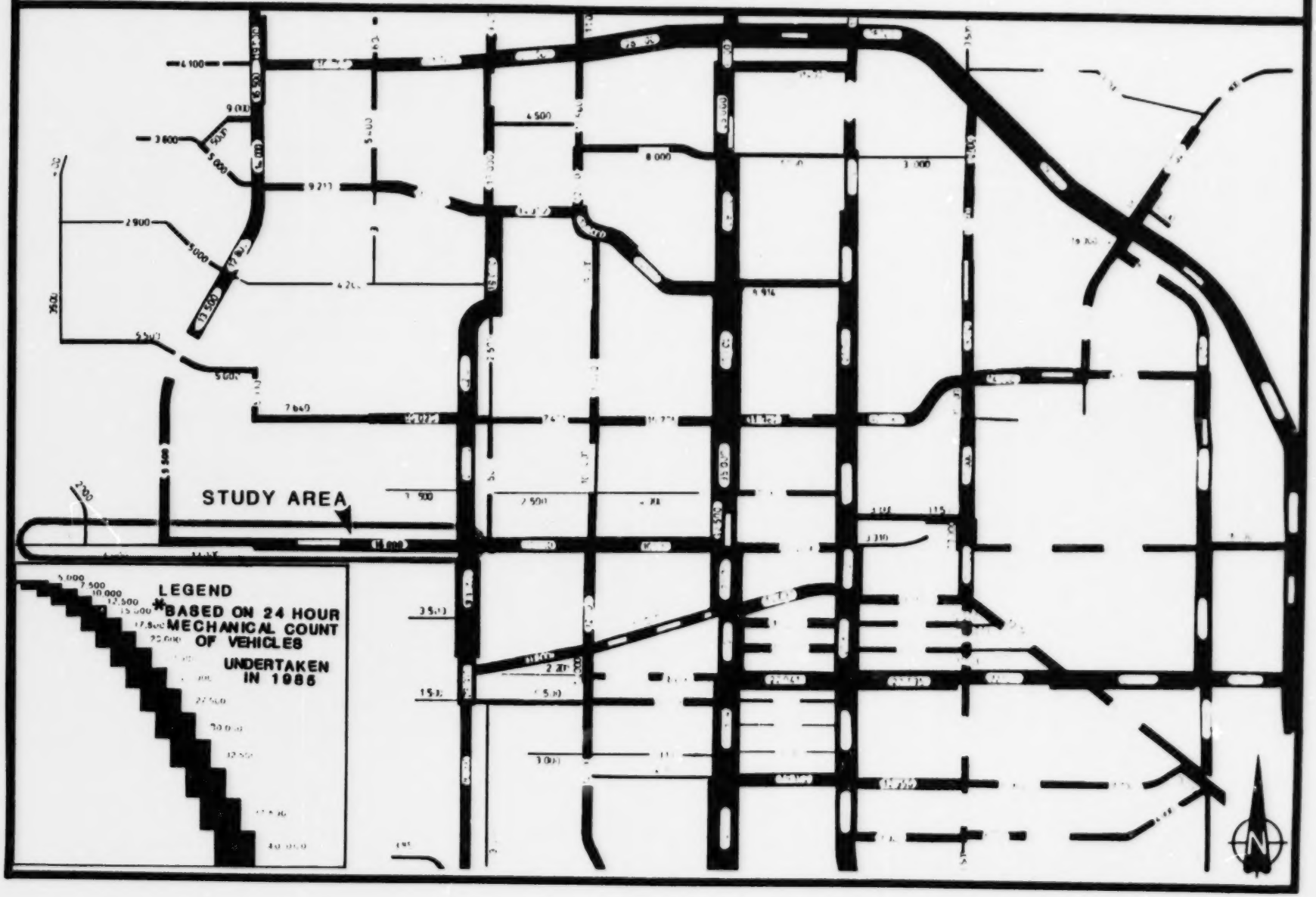
There are two sites which have been developed for commercial uses, but which are zoned residential. In these cases, the uses are "legally non-conforming" - a term which has particular legal implications as prescribed in the Planning and Development Act. Specifically, the existing uses (in one case a confectionary store, in the other a vacant former confectionary store) may continue and may be reused for the current purpose by a subsequent owner, but reuse of the property for another purpose or reuse of the property for any purpose if it has been vacant for more than six months must conform to the residential zoning standards in which apply to the property. In both cases, it appears that vacancy of more than six months is a genuine prospect, and strict application of the current zoning standards which prohibit commercial reuse would then result. This issue will be discussed in Section 3.2.

Land Use Policies

The policies pertaining to land use on the applicable blocks of Dewdney Avenue are contained in the Regina Development Plan. Section 5.0 of Part A of the Plan contains a policy which restricts any further residential development from occurring south of Dewdney Avenue west of Wascana Creek (see Map 6). The remainder of the study area is subject to policies contained in Section 5.0 of Part B of the Plan. These policies call for the retention of the single family character of the area and require multi-family or commercial developments to be subject to rezonings in order for their impacts on the neighbourhood to be examined.

The subject area is included as part of the suburban area of the city, and is excluded from the policies pertaining to inner city and older neighbourhoods. Many of the inner city neighbourhoods have special protective policies to prohibit further commercial development in residential areas. In those neighbourhoods, analysis has been done to indicate where commercial development would be inappropriate, whereas in the study area (and other suburban areas of the city) analysis of the applicability of commercial development is done on a case by case basis as rezoning applications are made.

MAP 7 TRAFFIC VOLUMES*, NORTH REGINA



2.3 Traffic and Parking

Traffic Volumes

Dewdney Avenue carries a moderate volume of commuter traffic generated by residents of the northwest portion of the city. The area east of McCarthy Boulevard acts as part of a potential commuter route from the northwest sector and carries up to approximately 16,000 vehicles per day of which approximately 9,000 also use McCarthy Boulevard. Map 7 shows the daily traffic volumes on major streets in the area, based on 1985 traffic counts.

Future Traffic Increases

The northwest sector is continuing to grow, and it can be expected that the number of vehicles which use Dewdney Avenue will increase over time. This may contribute to problems of noise and safety. Where traffic impacts are large, secondary effects may include speculation on commercial redevelopment, declining maintenance and a shift to rental housing. However, the increase in traffic on Dewdney Avenue is expected to be modest and is not likely to be perceptible for all practical purposes.

Proposed Courtney Street Expressway

The development of the proposed Courtney Street Expressway/Saskatchewan Drive Extension will substantially relieve any increase in traffic which does occur. It is expected to intercept commuters from most of the future areas of development in the northwest sector and in addition provide an attractive alternative for many residents in existing areas at the western edge of the city who now use McCarthy Boulevard and Dewdney Avenue. The development of the Courtney Street Expressway is not intended for at least the next 20 years, however, and consequently traffic volumes on Dewdney Avenue can be expected to increase in the meantime.

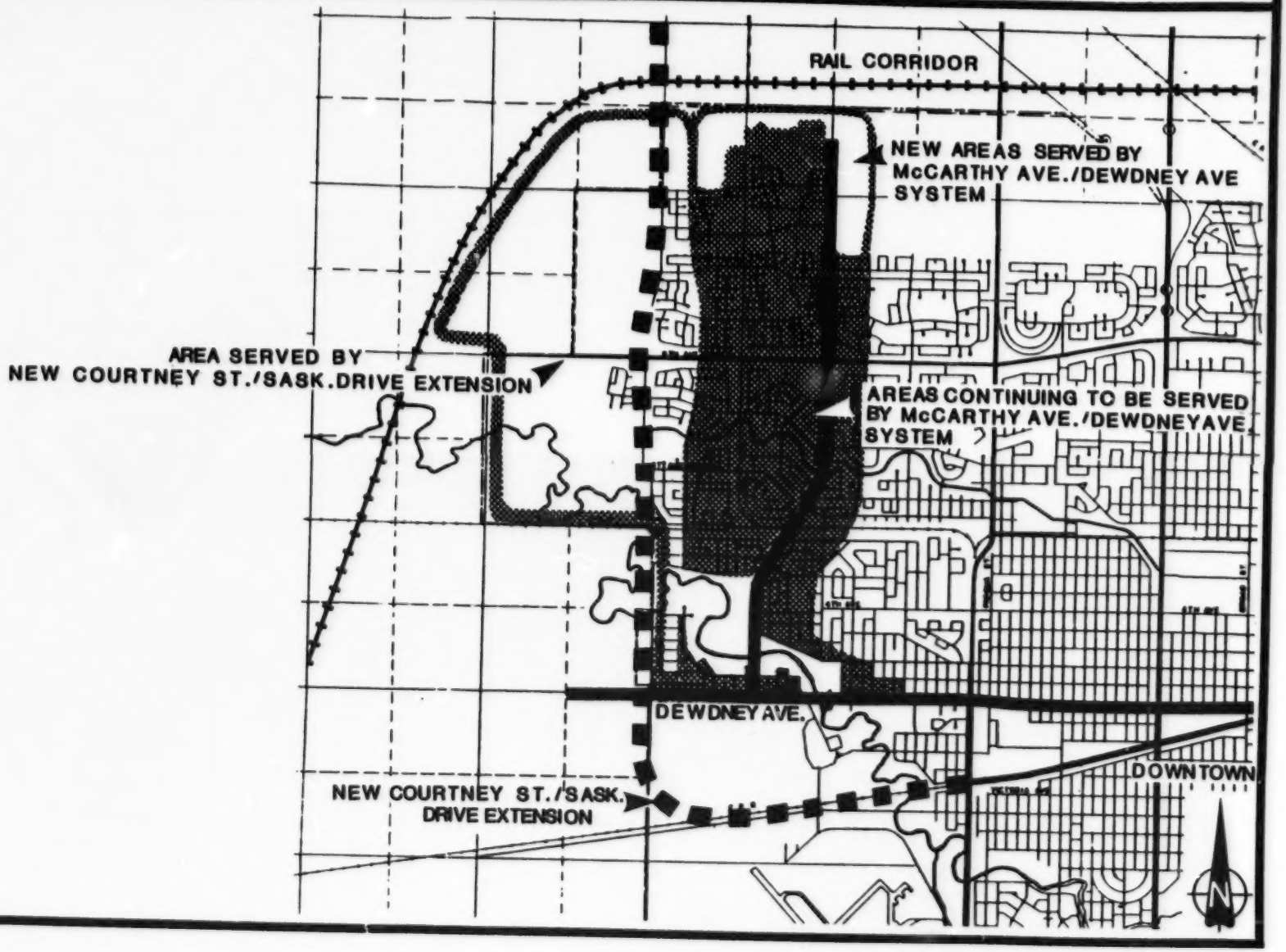
Roadway Width

The existing roadway width is adequate to handle the existing and expected future traffic volumes, with the exception of the portion east of Grace Street where on-street parking, bus stops and narrower pavement widths combine to create difficulties at peak traffic periods. This area is intended to be improved to accept the same traffic volumes as the remainder of Dewdney Avenue. Work is scheduled to commence in 1988. It should be noted that the construction work will temporarily disrupt traffic which normally uses Dewdney Avenue.

Parking

Parking is permitted along the entire length of Dewdney Avenue, with a few exceptions such as at bus stops. The availability of parking was not raised as an issue at the public meeting held November 25, 1986 (see Section 1.2). Turning movements onto Dewdney Avenue from the side streets, and the safety of pedestrians crossing the street were, however, raised and will be discussed in Section 3.3.

MAP8


RAIL CORRIDOR
NEW AREAS SERVED BY McCARTHY AVE./DEWDNEY AVE SYSTEM
AREA SERVED BY NEW COURTNEY ST./SASK.DRIVE EXTENSION
AREAS CONTINUING TO BE SERVED BY McCARTHY AVE./DEWDNEYAVE SYSTEM
DEWDNEY AVE.
DOWNTOWN
NEW COURTNEY ST./SASK. DRIVE EXTENSION
N

3.0 ISSUES AND ANALYSIS

This study addresses three issues of relevence to the future development of the study area. All three of these issues were raised in discussion with members of the affected community who attended the meeting of November 25, 1986 at the Jack Hamilton Arena (see Section 1.2).

First, the question of maintaining the residential character of the north side of the street will be examined. Secondly, the disposition of two existing commercial buildings which are zoned for residential uses only will be considered. Finally, the series of issues related to traffic will be discussed.

3.1 Residential Stability

Commercial Encroachment

The long term stability of the residential component of the study area could potentially be jeopardized by ad hoc and indiscriminate commercial development. The effect of this type of development would be to encourage speculation on redevelopment, which can lead to a diminished interest in maintaining the existing residential properties at their current high standard.

Establishment of Policy

The preferred method of dealing with this issue is to establish a policy in the Development Plan to restrict commercial rezoning of residential properties on Dewdney Avenue in the study area. This is similar to the type of policies which have been applied in several inner city neighbourhoods where review has shown that commercial development is inappropriate. This review of Dewdney Avenue has generated information sufficient to indicate that further commercial development in the study area is generally not warranted, for the following reasons:

1. the residential development is stable, indicated by the good building condition and high owner occupancy rates.

2. the reaction of residents attending the public meeting where this prospect was suggested was very positive, and it is expected that the prevailing sentiment in the community would be supportive.

3. traffic volumes, although expected to increase in the future, will likely decline to near their current levels in the longer term when the Courtney Street Expressway is constructed, suggesting that traffic impacts will not threaten the residential viability of the area or stimulate demand for further commercial development.

4. the development of the shopping centre at McCarthy Boulevard, in conjunction with the other existing commercial uses at Royal Street, 7th Avenue and Lewvan Drive and other nearby locations is expected to satisfy the need for local shopping facilities.

The effect of establishing this policy in the Development Plan is to ensure that commercial rezonings on Dewdney Avenue in the study area cannot be approved, unless the Plan itself has first been amended. The policy indicates how Council must respond to commercial rezoning request. Where similar policies have been applied in other areas of the city, it sends a clear signal to potential developers at the earliest stages of their investment decision making process before they have become committed to a project.

Ad-Hoc Review

The alternative of not establishing a restrictive policy but of reviewing each rezoning application on an individual basis gives Council more flexibility to approve projects which may have merit. It may not, however, provide the direction and coordination of the type given by this review which is based on a comprehensive evaluation of the issues. Council and the community are more likely to be in a position of reviewing a series of applications proposed by applicants who are committed to undertaking their projects. The resulting potential confrontation can be avoided by establishing a policy as discussed above.

Exception

A potential exception to this discussion is the situation where a property is not zoned to reflect its current use or has been developed with a building which is unsuited to the range of uses permitted in the zone. In these cases, a rezoning may be warranted to enable reasonable use to be made of the property. There are several examples of this situation in the study area which will be discussed in Section 3.2.

3.2 Non-Conforming Commercial Uses

Continuation of Existing Non-Conforming Uses

Three properties in the study area contain commercial uses or have been developed with buildings which are intended for commercial use, but are zoned residential. Two of these sites are likely candidates for reuse; the building at the northeast corner of Royal Street is now vacant, the confectionary store at Donald Street may become vacant when the shopping centre at McCarthy Boulevard is developed. As discussed in Section 2.2, these properties may only be reused for the uses permitted in the residential zone in which they are located or continue their current use. In both cases, the existing buildings are inappropriate for the residential uses permitted in the zone and it is unlikely that there will be a demand for continuation of their current uses. The third property, a day care centre with a suite above is located immediately east of the vacant store at Royal Street. It is not expected to be vacated in the forseeable future. The commercial-form building would be difficult to convert to entirely residential use, however, in the event of the day care centre being eventually relocated. Alternatives include reusing the properties for other uses permitted in the residential zones, or rezoning the properties to expand the range of permissible uses in view of the existing buildings on the sites.

Other Permitted Uses

Other uses which are permitted or discretionary in the applicable existing residential zones include:

a) Churches
b) Day Care Centres
c) Nursery Schools - Type 2
d) Community Centres

Rezoning to CR

If the properties cannot be reused for any of these purposes and, there is no demand for continuation of the existing uses it may be necessary to consider alternative zoning designations if the buildings are to be retained. One possible zoning alternative is the CR - Commercial/Residential Interface Zone. This zone accommodates low density, low traffic generating commercial or multi-family uses. Appendix 1 provides the list of permitted and discretionary uses in the CR - Zone.

In comparison to the commercial zone alternatives, permitted commercial uses in the CR zone are very restricted and include only art galleries and small offices (less than 500m^2 in gross floor area). Larger offices, personal service uses and small retail stores are discretionary uses and require Council's specific approval before the development can commence. Most other commercial zones provide far less control.

Rezoning to RM

The RM - Residential Mixed Use zone is a residential zone which allows for a restricted range of commercial uses, such as retail stores, services and offices in conjunction with residential uses. It does not permit any commercial uses to stand in isolation. This would not, therefore, expand the range of uses possible in the vacant store at Royal Street, but could be considered for the other two properties where there are residential uses in the existing building, or in the case of a new building on the site of the vacant store at Royal Street.

New Commercial Buildings

The principal intention of the commercial zoning possibilities being discussed in this section is to allow for the reasonable continuation and ongoing use of existing commercial form buildings. The development of a new building is not likely on the property near Donald Street or on the day care centre property near Royal Street due to the substantial nature and good condition of the existing buildings on these sites. The vacant store on the corner of Royal Street is, however, more susceptible to redevelopment and could, if zoned commercial, be the site of a new commercial building.

In most instances, the prospect of a new commercial building in the study area would be inconsistent with the position of maintaining the residential stability of the area by restricting further commercial development. However, in the specific case of the property at the northeast corner of Royal Street, several factors should be considered:

1) the property is a corner site with commercial buildings on the other side of Royal Street (northwest corner) and immediately east of the subject property.

2) the property has historically been commercial, and a new building on the site would not necessarily increase the amount of commercial space in the area.

3) the above two factors make the site sufficiently unique that a precedent should not be set for further commercial developments elsewhere in the study area.

4) the application of an RM zoning designation on the site would ensure that only a residential use or a commercial use in the same building as a residential use would be developed on the site.

3.3 Traffic

There are several issues related to traffic concerns - the overall long term traffic volumes on Dewdney Avenue, the roadway width, pedestrian crossings of Dewdney Avenue and vehicle turning movements from the residential side streets to the north. Many of these issues are not unique to the study area, and must be considered in conjunction with the overall traffic management programme in Regina.

Traffic Volumes

Concerns regarding overall long term traffic volumes and roadway widths will be addressed in the proposed construction of the Courtney Street Expressway and the scheduled improvements to Dewdney Avenue east of Grace Street respectively, as discussed in Section 2.3. An alternative is to impose restrictions to traffic on Dewdney Avenue. This would, however, only be effective to the extent that it would redirect traffic to other nearby streets such as 7th Avenue, Northwest Boulevard and other local streets. In view of the adverse impact this would have on both the neighbourhoods and the motorists it is not being advocated as a desirable solution.

Pedestrian Crossing

Pedestrian crossings were seen by some residents of the area as an issue, especially in the area near Luther College. At present, the site has a pedestrian operated crossing signal. The need for further signalization at this location has been assessed and a determination made that traffic volumes do not now warrant full signalization. Unless traffic volumes increase significantly it is unlikely that this will change in the forseeable future. At present the site has a pedestrian operated crossing signal.

Vehicle Turning Movements

Vehicle turning movements from the neighbourhoods streets onto Dewdney Avenue eastbound are difficult in the morning peak traffic period due to the continuous flow of traffic from the west. Benefits should be derived from two factors:

1. the scheduled improvements to Dewdney Avenue should facilitate the overall traffic flow and thus make the entry of additional vehicles easier.

2. the traffic lights, when installed at McCarthy Boulevard, may have some impact on organizing traffic and providing breaks in the flow which allow additional vehicles to enter from the unsignalized side streets. Although not scheduled at present, traffic lights may be warranted at this location within approximately five years time.

Prior to undertaking roadway improvements to Dewdney Avenue, a Transportation Impact Study (T.I.S.) will be prepared by the Public Works and Engineering Department in consultation with the affected community associations and area residents. The T.I.S. will evaluate the various roadway improvement options and discuss questions of parking restrictions and other issues related to the project. Public meetings will be held as part of the T.I.S. procedure in 1987 and further notification will be forthcoming.

4.0 CONCLUSIONS

4.1 Conclusions of the Report

1. The residential component of the study area is stable and should be protected from indiscriminate commercial development (see Sections 2.1 and 3.1).

2. There are two residentially zoned commercial sites which warrant special consideration to ensure that appropriate ongoing use of the buildings can be made (see Sections 2.2 and 3.2).

3. Traffic concerns will be addressed by existing plans and programs which should be continued and monitored (see sections 2.3 and 3.3).

APPENDIX 1: ZONING BYLAW 7878 (EXCERPTS)

1.0 DEFINITIONS

DEVELOPMENT

The carrying out of any building, engineering, mining or other operations in, on, or over land or the making of any material change in the use of any building or land.

EXISTING

Existing as of the date of final approval of this Bylaw.

DISCRETIONARY USES

Uses of land, buildings, or other structures that may be permitted in a zone only at the discretion of and at the location or locations and under the conditions specified by Council and which conform to the regulations respecting lot size, frontage, coverage, floor area ratio, yards, maximum building heights, person per hectare zones, general use regulations and special use regulations applicable to the zone in which the land, building or other structure is located.

MIXED-USE

A mixture of uses containing residential and one or more of the following types of uses - confectionary stores, retail stores, personal service establishments, service or repair shops, offices, banks or other financial institutions, medical or dental clinics, restaurants; bakery shops; or day care centres.

PERMITTED USES

Uses of land and the erection or uses of buildings or other structures that are permitted in a zone by this Bylaw in conformity with the regulations respecting lot size, frontage, coverage, floor area ratio, yards, maximum building heights, person per hectare zones, general use regulations and special use regulations applicable to the zone in which the land, building, or other structure is located.

2.0 GENERAL PROVISIONS

2.5 COMPLIANCE WITH ZONING BYLAW

No person shall use land, undertake any development, construct, reconstruct, or use any building or structure except in conformity with the regulations controlling the use, this Bylaw and the Act.

2.6 EXISTING DISCRETIONARY USES PERMITTED

Within any zone any existing use of land, a building or structure which is listed as a discretionary use within that zone shall not, as a result of the passage of this Bylaw be nonconforming, but shall be a permitted use at that location, but the use of the land shall not be changed except in conformity with this Bylaw.

2.7 NON-CONFORMING BUILDINGS AND USES

2.7.1 Any lawful use of an existing building or structure or of any building lawfully under construction at the date of approval of this Bylaw, although such use, building or structure does not conform to the regulations of this Bylaw, shall be carried on in accordance with the provisions of Sections 113 to 118, inclusive, of The Planning and Development Act, 1983.

SECTION 4

USE ZONES

4.1 R1: RESIDENTIAL SUBURBAN DETACHED ZONE

GENERAL PURPOSE OF ZONE

The R1 Zone is the most restrictive residential zone. It permits only detached dwelling units as residential uses.

4.1.1 PERMITTED USES

The following are permitted uses in R1 Zones:

a) All permitted uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes
d) Detached Dwelling Units
e) One Group Home - Type I (Residential Care Home) per sponsoring agency per district subject to the provisions of Section 2.8.4
f) Home occupations subject to the provisions of Section 9.2

4.1.2 DISCRETIONARY USES

The following are discretionary uses in R1 Zones:

a) Adult Care Homes
b) Churches
c) Day Care Centres subject to the provisions of Section 9.3
d) One Group Home - Type I (Residential Care Home) per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 2.8.4
e) Nursery Schools - Type 2
f) Planned Groups of Dwelling Units subject to the provisions of Section 9.5
g) Radio, Television or Microwave Towers subject to the provisions of Section 10.1

4.3 R2: RESIDENTIAL SUBURBAN SEMI-DETACHED ZONE

GENERAL PURPOSE OF ZONE

This zone permits semi-detached dwelling units. Other uses are the same as the R1 Zone.

4.3.1 PERMITTED USES

The following are permitted uses in R2 Zones:

a) All permitted uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes
d) Detached Dwelling Units
e) Duplex Dwelling Units
f) One Group Home - Type 1 (Residential Care Home) per sponsoring agency per district subject to the provisions of Section 2.8.4
g) Home Occupations subject to the provisions of Section 9.2
h) Semi-detached Dwelling Units

4.3.2 DISCRETIONARY USES

The following are discretionary uses in R2 Zones:

a) Adult Care Homes
b) Churches
c) Day Care Centres subject to the provisions of Section 9.3
d) One Group Home - Type I (Residential Care Home) per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 2.8.4
e) Nursery Schools - Type 2
f) Planned Groups of Dwelling Units subject to the provisions of Section 9.5
g) Radio, Television or Microwave Towers subject to the provisions of Section 10.1

4.13 RM: RESIDENTIAL-MIXED USE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to maintain the general residential character of a predominantly residential area, while at the same time recognizing the need for limited amounts of mixed use development to enable provision of services for the residents of the neighbourhood in controlled and compatible manner. Mixed use developments shall be restricted to locations on major arterial streets to preserve the integrity of residential areas.

4.13.1 PERMITTED USES

The following are permitted uses in RM zones:

a) All Permitted Uses in PS - Public Service Zone
b) Approved Homes
c) Boarding Care Homes
d) Converted Dwelling Units
e) Detached Dwelling Units
f) Duplex Dwelling Units
g) One Group Home - Type 1 (Residential Care Home) per sponsoring agency per district subject to the provisions of Section 2.8.4
h) Group Homes - Type 2 (Crisis Care Facilities)
i) Home Occupations subject to the provisions of Section 9.2
j) Rooming Houses
k) Semi-detached Dwelling Units
l) Townhouses

4.13.2 DISCRETIONARY USES

The following are discretionary uses in RM zones:

a) Adult Care Homes
b) Apartment Dwelling Units - Low Rise
c) Churches
d) Confectionery Stores subject to the provisions of Section 9.8
e) Day Care Centres subject to the provisions of Section 9.3
f) Fourplex Dwelling Units
g) Mixed Use 40%

h) Nursery Schools - Type 2

i) One Group Home - Type I (Residential Care Home) per sponsoring agency per district, in addition to that permitted in this zone, subject to the provisions of Section 2.8.4

j) Planned Groups of Dwelling Units subject to the provisions of Section 9.5

k) Radio, Television and Microwave Towers subject to the provisions of Section 10.1

l) Senior Citizens Homes

4.16 I: INSTITUTIONAL ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to regulate and provide sites providing an institutional or community service.

4.16.1 PERMITTED USES

The following are permitted uses in I Zones:

a) Business, Commercial or Technical Schools
b) Community Centres
c) Community Colleges
d) Day Care Centres
e) Fire Stations
f) Hospitals
g) Libraries
h) Police Stations
i) Post Offices
j) Private Schools
k) Public Museums or Public Art Galleries
l) Public or Separate Elementary or High Schools
m) Schools for Rehabilitation
n) Schools for the Disabled or Handicapped
o) Universities or Colleges

4.16.2 DISCRETIONARY USES

The following are discretionary uses in I Zones:

a) Aquariums totally within buildings
b) Cemeteries
c) Churches
d) Convents
e) Eleemosynary Institutions
f) Funeral Homes
g) Nursery Schools - Type 1
h) Public Auditoriums or amphitheatres
i) Public Zoos
j) Radio, Television or Microwave Towers subject to the provisions of Section 10.1
k) Senior Citizens Homes
l) Special Care Homes (Nursing Homes)

4.18 PS: PUBLIC SERVICE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to control those areas used or intended to be used by the public for active or passive recreational purposes.

4.18.1 PERMITTED USES

The following are permitted uses in PS Zones:

a) Bowling Greens
b) Community Centres
c) Golf Courses or Golf Driving Ranges
d) Outdoor Rinks
e) Parks, Picnic Areas or Open Space Facilities for use by the general public
f) Playgrounds or Tot Lots
g) Sports Fields
h) Tennis Courts

4.18.2 DISCRETIONARY USES

The following are discretionary uses in PS Zones:

a) Churches
b) Curling Rinks
c) Day Care Centres subject to the provisions of Section 9.3
d) Enclosed Hockey, Ice Skating or Roller Skating Rinks
e) Exhibition Buildings or Amphitheatres
f) Nursery Schools - Type 1
g) Radio, Television or Microwave Towers subject to the provisions of Section 10.1
h) Skateboard Rinks
i) Sports Stadia
j) Swimming Pools

4.24A LC1 - LOCAL COMMERCIAL ZONE

GENERAL PURPOSE OF ZONE

The LC1 zone is a commercial zone providing service to local neighbourhoods. This zone is restricted to locations on minor arterial and collector streets and is situated in such a way as to minimize the environmental impacts of those businesses on adjacent residential areas.

4.24A.1 PERMITTED USES

The following are permitted uses in LC1 zones:

a) Animal Hospitals
b) Bakery Shops
c) Banks or Other Financial Institutions
d) Churches
e) Confectionery Stores
f) Day Care Centres subject to the provisions of Section 9.3
g) Libraries
h) Medical or Dental Clinics
i) Offices of 200m^2 or less in gross floor area
j) Personal Service Establishments of less than 200m^2 in gross floor area
k) Private Clubs
l) Repair Shops of less than 200m^2 in gross floor area
m) Retail Stores of less than 300m^2 in gross floor area

4.24A.2 DISCRETIONARY USES

The following are discretionary uses in LC1 zones:

a) Bingo Halls
b) Commercial Clubs
c) Community Centres
d) Convenience Stores
e) Dwelling Units in the same building as a permitted or discretionary use in this zone
f) Fast Food Outlets
g) Gas Bars
h) Grocery Stores
i) Licensed Cocktail Rooms

j) Licensed Dining Rooms with a maximum seating capacity of 100 persons
k) Licensed Private Clubs
l) Licensed Restaurants with a maximum seating capacity of 100 persons
m) Liquor Stores
n) Nursery Schools - Type 1
o) Radio, television or microwave towers subject to the provisions of Section 10.1
p) Restaurants with a maximum seating capacity of 100 persons
q) Service Stations with up to 3 service bays
r) Shopping Centres containing uses permitted or discretionary in this zone
s) Offices of greater than 200m^2 in gross floor area.

4.24A.3 REGULATIONS

1) The regulations respecting lot area, frontage, coverage, floor area ratio, building height and yards are as shown on Table 2, Commercial Zone Regulations, unless otherwside specified on the Zoning Maps.

2) In LC1 zones, no portion of an eating or drinking establishment may be located outside of a building.

4.25A CR: COMMERCIAL/RESIDENTIAL INTERFACE ZONE

GENERAL PURPOSE OF ZONE

The general purpose of this zone is to accommodate the development of low density, low traffic generating commercial, multiple unit residential and small scale retail/residential service uses in mixed-use buildings on minor arterials and collector streets adjacent to residential areas.

This zone is intended to be used as a transition or buffer between high traffic generating commercial zones and residential neighbourhoods and shall be applied in a manner which will encourage the stability and viability of these neighbourhoods.

4.25A.1 PERMITTED USES

The following are permitted uses in CR Zones:

a) Apartment Dwelling Units - Low Rise
b) Art Galleries (public or private)
c) Day Care Centres subject to the provisions of Section 9.3
d) Group Homes - Type 2 (Crisis Care Facilities) subject to the provisions of Section 2.8.4
e) Libraries
f) Offices in buildings of less than 500 square metres in gross floor area
g) One Group Home - Type 1 (Residential Care Homes) per sponsoring agency per district subject to the provisions of Section 2.8.4
h) Senior Citizens Homes

4.25A.2 DISCRETIONARY USES

The following are discretionary uses in CR Zones:

a) Eleemosynary Institutions
b) Mixed-Use Buildings
c) Nursery Schools - Type 1
d) Offices in buildings of 500 or more square metres in gross floor area

e) One Group Home - Type 1 (Residential Care Home) per sponsoring agency per district, in addition to that permitted in this zone subject to the provisions of Section 2.8.4

f) Personal Service Establishments in buildings of less than 200 square metres in gross floor area

g) Repair Shops

h) Retail Stores in buildings of less than 200 square metres in gross floor area

i) Trade Union Halls

4.25A.3 REGULATIONS

1) The minimum front yard shall be completely landscaped. However, driveways leading to parking areas located in the side or rear yards shall be permitted to cross the minimum front yard but they shall be no larger than is necessary to accomplish the purpose they are to serve.

2) No parking stalls shall be permitted to locate in a front yard.

3) Private amenity space shall be provided for apartment dwelling units and mixed-use buildings in this zone at the rate of 4.6 square metres per dwelling unit.

4) The regulations respecting lot size, frontage, coverage, floor area ratio, building height and yards are shown on Table 2 - Commercial Zone Regulations, unless otherwise specified on the Zoning Maps.

TABLE 1

DWELLING UNIT REGULATIONS*

DWELLING UNIT OR BUILDING TYPE	MINIMUM LOT AREA (m2)	MINIMUM LOT FRONTAGE (m)	MAXIMUM COVERAGE **	MAXIMUM F.A.R.**	MINIMUM YARDS*			
					FRONT (m)	REAR (m)	SINGLE SIDE (m)	TOTAL SIDE (m)
Detached Dwelling Unit - R1, R2, R6 & R8 Zones	325	10.5	50%	0.75	R8 Zone - 5.5m Other Zones - 6	25% of lot area min. 5 m	1.2	2.5
Detached Dwelling All Other Zones	250	7.5	50%	0.75	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	1.2	2.5
Semi-Detatched Dwelling Unit	250	7.5	50%	0.75	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	0	1.2
Duplex Bldg.	250	7.5	50%	0.85	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	1.2	2.5
Fourplex Bldg.	500	15	50%	0.85	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	1.2	2.5
Townhouse Dwelling Unit	120	4	50%	0.85	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	for end units 1.2	---
Apt. Bldg, & Senior Citizens Homes (In all Zones but TAR and CARC) and Mixed Use Buildings in the RM zone	500	15	50%	3.00	6	25% of lot depth	1/4 adj wall ht. to a max. 6 m	---
Converted Dwellings Rooming Houses in all Zones; House Form Commercial/Residential Buildings, Eleemosynary Institutions, Libraries and Private Schools in TAR and CARC Zones	250	7.5	50%	0.75	TAR, CARC Zones - 5 Other Zones - 6	25% of lot area min. 5 m	1.2	2.5

TABLE 2

COMMERCIAL ZONE REGULATIONS

ZONE	MINIMUM LOT AREA (m2)	MINIMUM FRONTAGE (m)	MAXIMUM COVERAGE	MAXIMUM F.A.R.	MINIMUM YARDS				MAXIMUM HEIGHT (m)
					FRONT YARD (m)	REAR YARD (m)	ANY SINGLE SIDE YARD (m)	TOTAL SIDE YARDS (m)	
NC	250	6	50%	1.0	6	25% of lot area	0*	0	11
CR	250	6	65%	2.0	4	25% of lot area	0*	0	11

TABLE 4

MISCELLANEOUS ZONE REGULATIONS

ZONE	MINIMUM LOT AREA (m2)	MINIMUM FRONTAGE (m)	MAXIMUM COVERAGE	MAXIMUM F.A.R.	MINIMUM YARDS				MAXIMUM HEIGHT (m)
					FRONT YARD (m)	REAR YARD	ANY SINGLE SIDE YARD (m)	TOTAL SIDE YARDS (m)	
I	500	15	75%	1.5	7.5	25% depth of lot	3	6	15
PS AR FP	500	15	75%	0.75	7.5	25% depth of lot	3	7.5	Controlled by F.A.R.